

Hat

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA,
IN AND FOR THE COUNTY OF SHASTA.

David Doyel, Catherine Doyel, Effie May
Doyel, Bertha Giessner, Otto Giessner,
W. W. Brown, Ellen Brown, John Kenyon

Plaintiffs,

vs.

Harvey Massie, W. H. Roberts, C. C. Bid-
well, Harry A. Lonquist, Iva Morris, H.
Morris, Henry Lonquist, Herman Lonquist,
Olive Opdyke, J. S. Ratledge, Inigo Jones,
Amy Wilcox, R. A. Wilcox, Felice Kelly
Davis, Harry M. Wilcox, Charles Hawkins,
Carrie Klotz Hall, Theodore A. Kelley,
Charles W. Simpson, Harvey W. Wilcox, Vint
W. Stevenson, Harvey Winthrop, Red River
Lumber Co., a Corporation, A. N. Reynolds,
N. Reynolds, John D. Kirk, Charles Snooks,
Indian Bob, Sam Williams, Harry Bob. W. P.
Hall, Alec Brown, Holliday Brown, Fat
Frank, William Valentine, Mrs. Howard,
Charles Heryford, Edith Snook, Perry Op-
dyke, Percy Opdyke, Fritz Lonquist, Frank
Reiger, Mrs. A. L. Doty, Vernon March, Burl
Melburn March, Norman Brestol March, Harry
Lonquist, F. Allen, R. E. Bidwell, Clare
Brown, Fay Brown, L. H. Sullivan, Eva B.
Sullivan, Jeff Bone, Lee Bone, Joe Wilson,
Snow Flake, Jim Snow, Charles Sidney Gray
as First Doe, Julia Wilson As Second Doe,
Third Doe, Fourth Doe, Fifth Doe, Sixth
Doe, Seventh Doe, Eighth Doe, Ninth Doe,
Tenth Doe, Eleventh Doe, Twelfth Doe, Thir-
teenth Doe, Fourteenth Doe, and Fifteenth
Doe, J. C. Kerns, and S. E. Kerns

Defendants.

No. 5724

JUDGMENT
AND DECREE

The above entitled cause having been transferred to the
State Water Commission of the State of California, as Referee, by
order of court, dated March 29, 1920, and made under authority of
law as conferred by Section 24 of the Water Commission Act of the
State of California, Statutes of 1913, Chapter 586, as amended;
the Division of Water Rights of the Department of Public Works of
the State of California having succeeded to the duties, powers,
purposes, responsibilities, and jurisdiction of said State Water
Commission as provided in Chapter 607, Statutes of 1921; said

Division of Water Rights and its said predecessor having made full investigation as referee and having made actual surveys, measurements of stream flow, and measurements of diversion through the various ditches and having taken, made, and compiled data and measurements; said Division of Water Rights having prepared maps and having given due notice of a hearing and trial before said Division, as referee, and having on the fifteenth day of November, 1923, taken testimony at said hearing and trial and having admitted in evidence at said hearing and trial exhibits offered by the parties; plaintiffs having been represented at said hearing and trial by their counsel, W. D. Tillotson, Esq. some of defendants, by their counsel, Messrs. Chenoweth and Leininger, others of defendants, by their counsel, Messrs. Carter and Smith, defendant L. H. Sullivan having appeared for himself and for defendant Eva B. Sullivan, and certain of the defendants having made no appearance and not having been represented by counsel; oral stipulations having been entered into at said hearing and trial as to ownership of lands and ditches, as to riparian and non-riparian character of lands involved, as to necessity for irrigation, as to past irrigation, as to amount of water necessary for use, and as to power wheels and a stipulation having been adopted as to parties who are Indians, and a stipulation, as to the basis of a decree upon that certain stipulation received in evidence as Plaintiffs' Exhibit No. 3, and a stipulation, as to the use of water by defendant Charles Sidney Gray as the First Doe; said Division of Water Rights having submitted its report as referee, its findings of fact and its conclusions of law, and with said report, findings of fact and conclusions of law, the said Division of Water Rights having submitted a proposed

form of judgment and decree in said action, and defendants L. H. Sullivan and Eva B. Sullivan having moved this court for certain modifications of said proposed decree, the court finds that the said proposed decree should be amended as follows:

(a) That paragraph 14 on page 29 of said proposed decree to be stricken out.

(b) That paragraph 10 on page 28 of said proposed decree be amended to read as follows:

"That any of the riparian owners who are parties to this action shall have the right to divert sufficient water to operate a power wheel on their lands herein described, provided that their use for this purpose does not deprive any of the other users of the quantity of water allotted to them for irrigation, the water to be directly returned to the stream from the point of use."

(c) That paragraph 13 on page 29 of said proposed decree be amended by adding at the end thereof the following:

"except that in the case of the ditch used jointly by Harry Lonquist, Clare Brown, Fay Brown, L. H. Sullivan, and Eva B. Sullivan, the allotment of water herein allowed L. H. Sullivan and Eva B. Sullivan shall be measured at the northern boundary of the Clare and Fay Brown ranch, and the allotment of water herein allowed Clare and Fay Brown shall be measured immediately above the point where the upper lateral leading to the Clare and Fay Brown ranch diverts water from the said ditch; provided, that the said defendants Harry Lonquist, Clare Brown, Fay Brown, L. H. Sullivan, and Eva B. Sullivan shall at all times keep the said ditch in good condition and repair so that the loss from said ditch by evaporation or seepage shall not be abnormal or unnecessary, and unless the said last mentioned defendants shall keep said ditch in good condition and repair as herein provided, the court may, upon application of any party to this action injured thereby, by a supplemental order or decree provide that the measurement of the waters allotted to said defendants Harry Lonquist, Clare Brown, Fay Brown, L. H. Sullivan, and Eva B. Sullivan be made at the point where the water is diverted from said Hat Creek into said ditch."

and defendants Iva Morris (nee Doty), H. Morris, Vernon March, Burl Melburn March, Norman Brestol March, Olive Opdyke, Percy Opdyke, Perry Opdyke, J. S. Ratledge, Amy Wilcox, R. A. Wilcox, Harry M. Wilcox, Charles Hawkins, Carrie Klotz Hall, W. P. Hall, Harvey W. Wilcox, William Valentine, Charles Heryford, R. E. Bidwell, Clare Brown, Fay Brown, Felice Kelly Davis, and others having moved the court for the insertion of an additional paragraph in

said decree to be numbered 27 $\frac{1}{2}$ in the words in the paragraph No. 27 $\frac{1}{2}$ in this decree hereinafter set forth, which proposed additional paragraph was approved and consented to by all of the parties hereto upon hearing of said motion; and the court, now being fully advised in the premises and having adopted the findings of fact and conclusions of law reported by the Division of Water Rights, as referee, based upon said stipulations entered into by the parties and the report and findings of fact and conclusions of law submitted by said Division of Water Rights, as referee, it is hereby ORDERED, ADJUDGED and DECREED, as follows, to wit:

1. That the plaintiffs and defendants in the above entitled action are the owners of the lands described in their respective pleadings, and as amended and pleaded by them. That the defendants Charley Snooks, Sam Williams, Harry Bob, Alec Brown, Holliday Brown, Edith Snook, Jeff Bone, and Lee Bone, Joe Wilson and Julia Wilson are the owners of the lands depicted in Plaintiffs' Exhibit No. 1. That plaintiffs and defendants are the owners of, or interested in, the ditches described in their respective pleadings, and as amended and pleaded by them, and as depicted and described in Plaintiffs' Exhibits Numbers 1, 2, and 3 and are entitled to divert, and hereinafter set forth, through said ditches at the points of diversion depicted in Plaintiffs' Exhibit No. 1. That defendants Charley Snooks, Sam Williams, Harry Bob, Alec Brown, Holliday Brown, Edith Snook, Jeff Bone and Lee Bone, Joe Wilson, and Julia Wilson are the owners of, or interested in, the respective ditches depicted and described in Plaintiffs' Exhibits Numbers 1, 2 and 3 as affording the means of irrigation for their respective lands and are entitled to divert, as hereinafter set forth, through said ditches at the points of diversion depicted in Plaintiffs' Exhibit No. 1

2. That said plaintiffs and defendants have the right to use water upon the irrigated portions of their said lands described in their respective pleadings, as amended and pleaded by them, and that said irrigated lands are as depicted in Plaintiffs'

Exhibit No. 1 and as described in Plaintiffs' Exhibits Numbers 2 and 3; that said defendants Charley Snooks, Sam Williams, Harry Bob, Alec Brown, Holliday Brown, Edith Snook, Jeff Bone and Lee Bone, Joe Wilson and Julia Wilson have the right to use water upon the irrigated portions of their respective lands and that said irrigated lands are as depicted in Plaintiff's Exhibit No. 1 and as described in Plaintiff's Exhibits Numbers 2 and 3; that said irrigated lands require irrigation and require two miner's inches, measured under six inch pressure, continuous flow per acre or its equivalent, if rotated, and no more and that that quantity or its equivalent, if rotated, and no more is the quantity necessary for the proper irrigation of said irrigated lands and the amount that can be beneficially used on said irrigated lands for irrigation.

3. That said irrigated lands shall be entitled to a first and correlative right in and to the waters of Hat Creek for the amounts of water hereinafter allotted to said lands upon the basis of two miner's inches, measured under six inch pressure, continuous flow per acre or its equivalent, if rotated. In other words, that all of said irrigated lands shall be fully supplied with water as hereinafter allotted to said lands before the parties to this action shall be entitled to divert for other areas except as stated in paragraph 4 below, and in case of shortage shall share the supply available in the ratio that their allotments bear to each other.

4. That the areas hereinafter described in paragraphs 21 and 22 of this decree, as irrigated prior to the mud flow from Mr. Lassen are entitled to share in a first and correlative right to the waters of Hat Creek with the irrigated lands as provided above according as said mud flow areas shall be reclaimed and irrigated.

5. That all the lands described in plaintiffs' and defendants' and pleadings are riparian to Hat Creek with the except-

ion of the lands described in the third defense of the answer of Fritz Lonquist and the lands of defendants Iva Morris, Vernon March, and Olive March (i.e. the heirs of Olive March) and Clare Brown and Fay Brown.

6. That plaintiffs have irrigated their irrigated lands, as above described, for a number of years prior to the commencement of this action; that defendants L. H. Sullivan and Eva B. Sullivan have irrigated their irrigated lands, as above described, for a number of years prior to the commencement of this action; that defendants Harry A. Lonquist, Henry Lonquist, A. N. Reynolds, N. Reynolds, and F. Allen, and Fritz Lonquist have irrigated their irrigated lands, as above described, for more than five years; and that defendants Iva Morris, Vernon March and Olive March (i.e. the heirs of Olive March), and Clare and Fay Brown, or their predecessors in interest, have irrigated their irrigated lands, as above described, for a period of more than five years, continuously, prior to the commencement of this action.

7. That, in accordance with the motion of plaintiffs on file herein, the above entitled action is dismissed as against defendants Harvey Massie, W. H. Roberts, C. C. Bidwell, Herman Lonquist, Inigo Jones, Theodore A. Kelly, Charles W. Simpson, Harvey Winthrop, Red River Lumber Company, a corporation, John D. Kirk, Indian Bob, Fat Frank, Mrs. Howard, Frank Rieger, Snow Flake, Jim Snow, Third Doe, Fourth Doe, Fifth Doe, Sixth Doe, Seventh Doe, Eighth Doe, Ninth Doe, Tenth Doe, Eleventh Doe, Twelfth Doe, Thirteenth Doe, Fourteenth Doe, and Fifteenth Doe.

7½. That Charles Sidney Gray has been substituted as party defendant in the place and stead of defendant First Doe herein, and Julia Wilson has been substituted as party defendant in the place and stead of defendant Second Doe herein.

8. That the defendants J. C. Kerns and S. E. Kerns, and each of them, having been duly served with summons and a copy of

the complaint in the above entitled action, and having failed to appear and answer to complaint within the time allowed by law, or within the time extended by the court, or at all, and the clerk of this court having entered their defaults, are, as to any rights which they or either of them may possess in and to the waters of Hat Creek, subsequent in right to the rights of the plaintiffs, and each of them, as herein decreed, and as against said plaintiffs, and each of them, said defendants, and each of them, their and each of their attorneys, solicitors, agents, servants and employees and all those owning or claiming by, through under or for them or either of them and all others acting in aid or assistance of them or either of them, are hereby perpetually restrained, prohibited and enjoined from interrupting or in any way interfering with the beneficial use of the waters of Hat Creek by said plaintiffs, their respective heirs, successors, or assigns, or any of said plaintiffs, their respective heirs, successors or assigns under the rights of said plaintiffs as herein decreed.

9. That plaintiff W. W. Brown is the successor in interest of plaintiff John Kenyon, having purchased the interests of said John Kenyon, and has been duly substituted as plaintiff in the place and stead of said John Kenyon. That plaintiffs W. W. Brown and Ellen Brown own the lands marked Snow Flake in Plaintiffs' Exhibit No. 1 and the waters appurtenant thereto as pleaded in plaintiffs' supplemental complaint and apportioned as shown upon Sheet No. 11 of plaintiffs' Exhibit No 1; that defendant Harry Lonquist is the same defendant as Harry A. Lonquist; that defendant Iva Morris, nee Doty, is the same defendant as Mrs. A. L. Doty; and that defendant Olive March died after the commencement of this action, that defendant Vernon March acted as administrator of her estate, that said estate has now been distributed and that the heirs of said Olive March are Vernon March, Burl Melburn March, and Norman Brestol March, and that said heirs have been duly substituted

as defendants in the place and stead of said Olive March.

10. That any of the riparian owners who are parties to this action shall have the right to divert sufficient water to operate a power wheel on their lands herein described, provided that their use for this purpose does not deprive any of the other users of the quantity of water allotted to them for irrigation, the water to be directly returned to the stream from the point of use.

11. That in addition to the amounts of water herein allotted to defendants Carrie Klotz Hall and W. P. Hall, through the Hall Ditch, for irrigation, said defendants shall at all times be entitled to divert from the waters of said Hat Creek, through the said Hall Ditch, a continuous flow of ten cubic feet per second, to be used for the purpose of operating a power wheel situated on the premises of said defendants in the northwest quarter of the southwest quarter of section 33, township 33 north, range 5 east, M.D.M.; provided that all of said water other than that necessarily lost by evaporation and seepage, shall be returned to said Hat Creek above the point of diversion of the next lower water user; except that not exceeding twenty miner's inches of said ten cubic feet per second may be used for the purpose of conveying sawdust and refuse from the sawmill situated on the above described property, and need not be returned to said Hat Creek.

12. That the term "miner's inch", as herein used, is defined to mean one fortieth of a cubic foot per second.

13. That the points of measurement for all diversions shall be at the respective points of diversion from the stream except that in the case of the ditch used jointly by Harry Lonquist, Clare Brown, Fay Brown, L.H. Sullivan, and Eva B. Sullivan, the allotment of water herein allowed L. H. Sullivan and Eva B. Sullivan shall be measured at the northern boundary of the Clare and Fay Brown ranch, and the allotment of water herein allowed Clare and Fay Brown shall be measured immediately above the point where the upper lateral leading to the Clare and Fay Brown ranch diverts water from the said ditch;

15. That the parties to this action be divided into two classes, Upper Users and Lower Users, as set forth in Schedules 1 and III hereunto annexed and made a part hereof, as Exhibits A and C, respectively.

W. IVI S. 100
Shed 90
until Oct 27

and to be
eligible to

-9-

water for domestic and stock watering purposes and for preventing damage which might be caused by the ditches remaining entirely dry.

19. That during the second, fourth, sixth, eighth, tenth, twelfth, fourteenth, sixteenth, and eighteenth irrigation periods the said Lower Users shall be entitled to divert and use for domestic and stock watering purposes and for the irrigation of their lands, as described in the "Table of Lands Irrigated", hereunto annexed and made a part hereof as Exhibit E, the waters of said Hat Creek; provided that the amounts of water to which said Lower Users shall be entitled shall be limited to the amounts which can be beneficially used for said purposes and shall not exceed the amounts set forth in Schedule III, hereunto annexed and made a part hereof as Exhibit C.

20. That during the first, third, fifth, seventh, ninth, eleventh, thirteenth, fifteenth, and seventeenth irrigation periods the said Lower Users shall be entitled to divert waters from said Hat Creek, as set forth in Schedule IV, hereunto annexed and made a part hereof as Exhibit D, for the purpose of supplying water for domestic and stock watering purposes and for preventing damage which might be caused by the ditches remaining entirely dry.

21. That during the first, third, fifth, seventh, ninth, eleventh, thirteenth, fifteenth, and seventeenth irrigation periods, the parties hereinafter named shall be entitled to divert waters of said Hat Creek through their respective ditches for the purpose of irrigating the following described lands, which lands were irrigated with the waters of said Hat Creek prior to the mud flow from Mt. Lassen in 1915, provided that the amounts of water to which said parties shall be entitled shall be limited to the amounts which can be beneficially used for said purposes and shall not exceed four miner's inches for each acre of land irrigated;

Vint W. Stevenson, 80 acres of land situated in lots 1 and 5 of the northeast quarter of section 1, township 32 north,

12/1/1915
m. a. v. h.
Schedule

range 4 east, M.D.M., and in the south half of northeast quarter and north half of southeast quarter of section 12, township 32 north, range 4 east, M.D.M.

R. A. Wilcox and Amy Wilcox, 11.9 acres of land in the northwest quarter of southwest quarter of section 1, township 33 north, range 4 east, M.D.M.; 6.0 acres in northeast quarter of southwest quarter of section 1, township 33 north, range 4 east, M.D.M.; 9.1 acres in northeast quarter of southeast quarter of section 2, township 33 north, range 4 east, M.D.M.; making a total of 27.0 acres.

Carrie Klotz Hall and W. P. Hall, 5 acres of land in the southeast quarter of northwest quarter and north half of southwest quarter of section 33, township 33 north, range 5 east, M.D.M.

Harvey W. Wilcox, 40 acres of land in east half of lot 8, section 1, township 32 north, range 4 east, M.D.M., and in lots 1 and 2, section 7, township 32 north, range 5 east, M.D.M.

22. That during the second, fourth, sixth, eighth, tenth, twelfth, fourteenth, sixteenth, and eighteenth irrigation periods, R. E. Bidwell shall be entitled to divert water of said Hat Creek through his ditch for the purpose of irrigating twelve acres of land in Lot 8 of section 3, township 34 north, range 4 east, M.D.M., which lands were irrigated with the waters of said Hat Creek prior to the mud flow from Mt. Lassen in 1915; provided that the amount of water to which said R. E. Bidwell shall be entitled shall be limited to the amount which can be beneficially used for said purpose and shall not exceed four miner's inches for each acre of land irrigated.

23. That should, at any time, during the first, third, fifth, seventh, ninth, eleventh, thirteenth, fifteenth, or seventeenth irrigation periods, the natural flow of said Hat Creek be insufficient to supply the water hereinabove allotted to the said Upper Users and at the same time supply the said Lower Users with the minimum heads of water set forth in the above mentioned Schedule IV, then during the continuance of such shortage, said

Upper Users shall divide the excess water of said Hat Creek over and above the amount necessary to supply the said Lower Users with the minimum heads of water set forth in the above mentioned Schedule IV, in the ratio that their allotments, as hereinabove provided for, bear to each other. The test of the apportionment of the proportions herein provided for in this paragraph in case of such water shortage, will be whether or not the respective said Upper Users are receiving their proportion as specified in this paragraph, at the heads of their respective ditches.

24. That should, at any time during the second, fourth, sixth, eighth, tenth, twelfth, fourteenth, sixteenth, or eighteenth irrigation periods, the natural flow of said Hat Creek be insufficient to supply the water hereinabove allotted to said Lower Users and at the same time supply the said Upper Users with the minimum heads of water set forth in the above mentioned Schedule 11, then during the continuance of such shortage, said Lower Users shall divide the excess of water of said Hat Creek over and above the amount necessary to supply the said Upper Users with the minimum heads of water set forth in the above mentioned Schedule 11, in the ratio that their allotments, as hereinabove provided for, bear to each other. The test of the apportionment of the proportions herein provided for in this paragraph in case of such water shortage, will be whether or not the respective said Lower Users are receiving their proportion as specified in this paragraph, at the heads of their respective ditches.

25. That nothing herein contained shall be construed as limiting or restricting the right of any two or more of said parties in the same class from entering into an agreement or agreements, whereby said parties might pool their respective interests for use during any period of time and thereby apply water to their respective lands at a greater rate than herein provided, for, provided that the total use of any such parties on their lands shall not exceed the allotments herein provided for, and provided further,

allowance
agreements
in the same
class
allowance
for the
purpose
of using
the water
on their
lands

that such use shall not impair or infringe the right of any other party.

26. That nothing herein shall be constructed as limiting or restricting the right of any riparian owner on said Hat Creek to divert and apply to beneficial use on any riparian lands other than those contained in the "Table of Lands Irrigated", hereunto annexed and made a part hereof as Exhibit E, any waters of said Hat Creek over and above those waters herein allotted, provided that any such use shall be during the same period in which such riparian user is given his maximum allotment hereunder, and provided further, that the quantity of water so used, shall be limited to the amount which can be beneficially used for said purposes and shall not exceed an amount equivalent to a continuous flow diversion of two miner's inches per acre of land irrigated.

27. That nothing herein contained shall be construed as a waiver of any right by any party hereto appropriate, upon application and proceedings before the Division of Water Rights of the Department of Public Works of the State of California, and apply to beneficial use on any lands other than those contained in the "table of Land Irrigated", hereunto annexed and made a part hereof as Exhibit E, any waters of said Hat Creek or its tributaries over and above those waters herein allotted, provided that any such appropriation shall be during the same period in which such appropriator is given his maximum allotment hereunto, and provided further that the water so appropriated shall be limited to the amount which can be beneficially used on said lands, and shall not exceed an amount equivalent to a continuous flow diversion of two miner's inches per acre of land irrigated. Nor shall anything herein contained be construed as a waiver of any right by any party herebo to protest or take any other appropriate action against issuance of a permit for the appropriation of water from Hat Creek or its tributaries, or towards the prevention of such an appropriation.

1 cfs / 20 Ac.
irrigated
continuous flow
diversion or
1 cfs / 100 Ac.
on Rotation

27 $\frac{1}{2}$. Subject to the provisions of the last two paragraphs and during the periods of time that the upper users are entitled to divert and use their maximum flow allotment, as specified in paragraph 17 hereof, they shall be entitled to divert and use any excess water remaining in Hat Creek after the diversion of said maximum flow allotment by them and the diversion of the minimum flow allotment specified in paragraph 20 by the lower users; such excess flow to be divided among the upper users in proportion to their irrigated areas of land specified herein; and that during the periods of time that the lower users are entitled to divert and use their maximum flow allotment, as specified in paragraph 19 hereof, they shall be entitled to divert and use any excess water remaining in Hat Creek after the diversion by them of said maximum flow allotment, and the diversion and use by the upper users of the minimum flow allotment of water to which the upper users are entitled, as specified in paragraph 18 hereof; said excess to be divided among the lower users in proportion to their respective irrigated areas as specified herein.

28. That upon request of any party hereto, the Division of Water Rights of Department of Public Works of the State of California, may investigate, and if upon investigation it appears to said Division that necessity therefor exists, said Division, or in case said Division shall fail to act, than the judge of the Superior Court of Shasta County, may appoint a watermaster to distribute the water in accordance with this decree, and said water master, when so appointed, shall have power and authority to inspect and regulate the diversion of all the parties hereto in accordance with this decree, and in the exercise of such authority may enter upon said lands of said parties for the purpose of such inspection and regulation and may establish and maintain such gauging stations and measuring devices and require such diversion works in said stream and diversion ditches as may be necessary or convenient. The water-master, when so appointed, shall continue in authority until October 27th of the irrigation season for which

he was appointed unless otherwise agreed upon by all the parties hereto, but shall not hold over from one irrigation season to another. All costs and expenses of distribution of water through the agency of such water-master shall be borne by the parties hereto, Indians occupying government land excepted, in proportion to the amount of water herein allotted to said parties.

Ind. not pay
W.M. Costs

29. That the owners of each ditch through which water is diverted from Hat Creek as herein provided, shall install, under the supervision of an engineer appointed by the Division of Water Rights, such permanent headgates and measuring devices as shall be required and approved by said Division of Water Rights, prior to July 1, 1924, or such later date as may be ordered by the above entitled court. The several ditch owners shall furnish all necessary labor and material for the construction and installation of said headgates and measuring devices in their respective ditches and the cost of supervision as herein provided shall be apportioned in a supplemental cost bill to the several parties hereto, Indians occupying government land excepted, in proportion to the amount of water herein allotted to said parties.

30. That the defendants L. H. Sullivan and Eva B. Sullivan shall be entitled to divert through the Rieger Ditch and use for domestic and stock watering purposes and for the irrigation of their irrigated lands as shown and described in Plaintiffs Exhibits Numbers 1, 2 and 3, such an amount of water as they beneficially use for said purposes but not exceeding a continuous flow of 92 miner's inches or the equivalent thereof if rotated; provided, however, that if rotation is practiced by said defendants they shall use water only during the rotation periods during which the Upper Users are entitled to irrigate under the provisions of this decree, during which periods said defendants shall be entitled to divert such an irrigating head as they beneficially use, but not exceeding 184 miner's inches.

92 Miners in.
= 2.3 CFS

31. That each party to this action and any attorneys solicitors, agents, servants, and employees of any party to this

action and all those owning or claiming by, through, under or for any party to this action and all others acting in aid or assistance of any party to this action are hereby perpetually restrained, prohibited, and enjoined from interrupting or in any way interfering with the beneficial use of the waters of Hat Creek by any other party to this action or by the respective heirs, successors of assigns of any other party to this action according to the respective rights as herein decreed.

32. That each party to this action shall pay his own costs, and that the costs of the hydrographic study made by the Division of Water Rights, as Referee, during July and August, 1921, as itemized in the statement entitled: "Statement of Cost of Hydrographic Study on Hat Creek - July and August, 1921." hereunto annexed and made a part hereof as Exhibit F, and shall be borne by the parties hereto as apportioned in the statement entitled "Apportionment of Cost of Hydrographic Study on Hat Creek July and August 1921", hereunto annexed and made a part hereof, as Exhibit G, and said parties, excepting those marked as paid in said Exhibit G, shall pay to the clerk of this court within thirty days from the date hereof their respective assessments as stated in said Exhibit G and that said clerk shall transmit said sums when so paid to the Division of Water Rights, 707 Forum Building, Sacramento, California.

Done in open court, this 14th day of May, 1924.

WALTER E. HERZINGER

Judge of said Superior Court

EXHIBIT A

SCHEDULE I

UPPER USERS

| PROPERTY OWNER | DITCH | Allotment During 1st, 3rd, 5th, 7th, 9th, 11th 13th, 15th and 17th Irri- gation Periods | |
|--|--|--|------------------------------|
| | | Miner's Inches | ^{c.f.s.} 2nd Ft. |
| 1. Harvey W. Wilcox | Harvey Wilcox Upper or Harvey Wilcox Lower | 85 | 2.125 |
| <i>HAT ch. Property</i> | | | |
| 2. Vint W. Stevenson | Stevenson | 95 | 2.375 |
| <i>Smith & Delano</i> | | | |
| 3. Carrie Klotz Hall W. P. Hall | Hall | 110 | 2.750 |
| <i>Gus Parrish</i> | | | |
| 4. Alec Brown (Indian) | Alec Brown | 20 | 0.500 |
| <i>Scott Lumber</i> | | | |
| 5. Charles Hawkins | Hawkins | 90 | 2.250 |
| | Harry Wilcox Middle | 75 | 1.875 |
| <i>Emma Wilcox</i> | | | |
| 6. Harry M. Wilcox | Harry Wilcox Upper | 225 | 5.625 |
| | Harry Wilcox Middle | 330 | 8.250 |
| <i>Emma Wilcox Goldie</i> | | | |
| 7. R. A. Wilcox | Harry Wilcox Upper | 60 | 1.500 |
| Amy Wilcox | Harry Wilcox Middle | 520 | 13.000 |
| | Harry Wilcox Lower | 40 | 1.000 |
| | Rube Wilcox - Davis | 115 | 2.875 |
| <i>18.375</i> | | | |
| 8. Felice Kelly Davis | Rube Wilcox - Davis | 85 | 2.125 |
| 9. Holliday Brown (Indian) | Harry Wilcox Middle | 45 | 1.125 |
| 10. William Valentine (Indian) | (Valentine Upper | 45 | 1.125 |
| | Valentine Lower | 20 | 0.500 |
| <i>Grave - Highley - Thompson - Westland - Nichols - Moore</i> | | | |
| 11. Charles Heryford | Heryford Upper | 60 | 1.500 |
| | Heryford Middle | 20 | 0.500 |
| | Heryford Lower | 60 | 1.500 |
| <i>Thelma - Moore</i> | | | |

EXHIBIT A

SCHEDULE I (Cont'd.)

| PROPERTY OWNER | DITCH | Allotment During 1st, 3rd, 5th, 7th, 9th, 11th, 13th, 15th and 17th Irrig- ation Periods | |
|--|------------------------------------|---|------------------------|
| | | Miner's Inches | Sec. Ft. <i>C.F.S.</i> |
| 12. Edith Snook (Indian) | Edith Snook | 20 | 0.500 ✓ |
| 13. J. S. Ratledge <i>E. Sauble</i> | Ratledge-Henry Lonquist | 140 | 3.500 ✓ |
| | Ratledge-Opdyke-Forest Service | 35 | 0.875 ✓ |
| 14. Olive Opdyke Perry Opdyke Perry Opdyke | Ratledge-Opdyke Forest Service | 235 | 5.875 ✓ |
| | Opdyke | 475 | 11.875 ✓ |
| | | | |
| 15. Henry Lonquist | Ratledge-Henry Lonquist | 75 | 1.875 ✓ |
| 16. H. Morris <i>ASA Doty</i> | Morris Upper or Morris Lower | 645 | 16.125 ✓ |
| | | | |
| 17. Iva Morris (Mrs. A. L. Doty, Iva Doty) <i>ASA Doty</i> | Morris Upper or Morris Lower | 245 | 6.125 ✓ |
| | | | |
| 18. Clare Brown Fay Brown <i>FRASER - D. Kerns - George Morton</i> | Reiger | 130 | 3.250 ✓ |
| | | | |
| 19. Charles Sidney Gray <i>Hermann</i> | Gray | 40 | 1.000 ✓ |
| TOTAL | | 4140 | 103.500 |

SCHEDULE II

| NAME OF DITCH | Head Allotted During 2nd, 4th 6th, 8th, 10th, 12th, 14th, 16th and 18th Irrigation Periods | |
|---------------------|--|-------------|
| | Miner's Inches | Second Feet |
| Harvey Wilcox Upper | 10 | 0.250 |
| Harvey Wilcox Lower | 10 | 0.250 |
| Stevenson | 10 | 0.250 |
| Gray | 5 | 0.125 |
| Hall | 20 | 0.500 |
| Alec Brown | 5 | 0.125 |
| Hawkins | 10 | 0.250 |
| Harry Wilcox Upper | 30 | 0.750 |
| Harry Wilcox Middle | 40 | 1.000 |
| Hube Wilcox - Davis | 20 | 0.500 |
| Harry Wilcox Lower | 10 | 0.250 |
| Valentine Upper | 10 | 0.250 |
| Valentine Lower | 10 | 0.250 |
| Heryford Upper | 10 | 0.250 |
| Heryford Middle | 10 | 0.250 |
| Heryford Lower | 10 | 0.250 |

SCHEDULE II (Cont'd.)

| NAME OF DITCH | Head Allotted During 2nd, 4th 6th, 8th, 10th, 12th, 14th, 16th and 18th Irrigation Period | |
|----------------------------------|---|-------------|
| | Miner's Inches | Second Feet |
| Edith Snook | 5 | 0.125 |
| Ratlledge-Henry Lonquist | 30 | 0.750 |
| Ratlledge-Opdyke Forest Service | 30 | 0.750 |
| Opdyke | 40 | 1.000 |
| Morris Upper | 30 | 0.750 |
| Morris Lower | 30 | 0.750 |
| Rieger (For Clare and Fay Brown) | 20 | 0.500 |
| Total | 405 | 10.125 |

EXHIBIT C
SCHEDULE III
LOWER USERS

| PROPERTY OWNER | DITCH | Allotment During 2nd, 4th, 6th, 8th, 10th, 12th, 14th, 16th, 18th Irrigation Periods | |
|--|------------------------------------|--|--------------|
| | | Miner's Inches | Sec. Ft. |
| 1. Vernon March <i>Ben Kerns</i> | Morris Upper or Morris Lower | 540 | 13.500 |
| 2. Harry A. Lonquist <i>Crowe Estate</i> <i>Duncan</i> | Harry Lonquist | 30 | 0.750 |
| | Rieger | 150 | 3.750 |
| | Harry Lonquist-Reynolds-Bidwell | 100 | 2.500 |
| | Harry Lonquist-Reynolds-East Side | 90 | 2.250 |
| | Harry Lonquist-Reynolds-Middle | 20 | 0.500 |
| 3. N. Reynolds, A. N. Reynolds (F. Allen) <i>see "18"</i> <i>Schedule 1</i> (Sophie Lonquist) (successor) <i>Duncan</i> | Harry Lonquist-Reynolds-East Side | 50 | 1.250 |
| | Reynolds Canal | 160 | 4.000 |
| | Harry Lonquist-Reynolds-Middle | 100 | 2.500 |
| | Harry Lonquist-Reynolds-Bidwell | 150 | 3.750 |
| | | | <i>9.750</i> |
| 4. Henry Lonquist | Henry Lonquist | 70 | 1.750 |
| | Opdyke | 5 | 0.125 |
| | Henry & Fritz Lonquist Upper or | 180 | 4.500 |
| | Henry & Fritz Lonquist Lower | | <i>6.375</i> |
| 5. Fritz Lonquist (Henry Lonquist) (successor) | Henry & Fritz Lonquist Upper | 115 | 2.875 |
| | Henry & Fritz Lonquist Lower | | |
| 6. R. E. Bidwell <i>G. Bibben</i> | Harry Lonquist-Reynolds -Bidwell | 350 | 8.750 |
| 7. Jeff Bone & Lee Bone (Indians) <i>Barnes</i> | Jeff Bone Upper | 20 | 0.500 |
| | Jeff Bone Lower | 20 | 0.500 |
| | Lee Bone | 20 | 0.500 |
| 8. Sam Williams (Indian) <i>Burnett</i> | Lee Bone | 20 | 0.500 |
| | Sam Williams | 30 | 0.750 |

EXHIBIT C
SCHEDULE III (Cont'd.)
LOWER USERS

| PROPERTY OWNER | DITCH | Allotment During 2nd, 4th, 6th, 8th, 10th, 12th, 14th, 16th, 18th Irrigation Periods | |
|---|---|--|----------|
| | | Miner's Inches | Sec. Ft. |
| 9. Julia Wilson (Indian) | Julia Wilson | 80 | 2.000 |
| 10. Joe Wilson (Indian) | Joe Wilson | 110 | 2.750 |
| 11. Harry Bob (Indian) | Julia Wilson | 140 | 3.500 |
| 12. Ellen Brown (Alan Brown as successor) | Ellen Brown Upper | 120 | 3.000 |
| | Ellen Brown Lower | 130 | 3.250 |
| | Ellen Brown - W.W. Brown | 160 | 4.000 |
| | Hat Creek (No ditch) | 80 | 2.000 |
| 13. W. W. Brown | Ellen Brown - W.W. Brown | 300 | 7.500 |
| | Hat Creek (No Ditch) | 20 | 0.500 |
| | | | 20.250 |
| 14. Charley Snooks (Indian) | Charley Snooks | 20 | 0.500 |
| 15. David Doyel | Doyel | 180 | 4.500 |
| | Hat Creek (No Ditch) | 20 | 0.500 |
| 16. David Doyel Catherine Doyel Effie May Doyel | Doyel | 540 | 13.500 |
| | Hat Creek (No Ditch) | 230 | 5.750 |
| 17. Bertha Geissner | Bertha Geissner | 410 | 10.250 |
| | Doyel | 80 | 2.000 |
| 18. Otto Geissner | Otto Geissner of Hat Creek (No Ditch) | 320 | 8.000 |
| TOTAL | | 5160 | 129.000 |

EXHIBIT D
SCHEDULE IV

| NAME OF DITCH | Minimum Head Allotted During 1st, 3rd, 5th, 7th, 9th, 11th, 13th, 15th, 17th Irrigation Periods. | |
|-----------------------------------|---|----------|
| | Miner's Inches | Sec. Ft. |
| Henry Lonquist | 30 | 0.750 |
| Henry and Fritz Lonquist Upper | 15 | 0.375 |
| Henry and Fritz Lonquist Lower | 15 | 0.375 |
| Harry Lonquist | 10 | 0.250 |
| Harry Lonquist-Reynolds-Bidwell | 40 | 1.000 |
| Harry Lonquist-Reynolds-East Side | 30 | 0.750 |
| Harry Lonquist-Reynolds-Middle | 10 | 0.250 |
| Reynolds Canal | 30 | 0.750 |
| Jeff Bone Upper | 5 | 0.125 |
| Jeff Bone Lower | 5 | 0.125 |
| Lee Bone | 10 | 0.250 |
| Julia Wilson | 10 | 0.250 |
| Sam Williams | 10 | 0.250 |
| Joe Wilson- | 10 | 0.250 |
| Ellen Brown Upper | 10 | 0.250 |
| Ellen Brown - W. W. Brown | 40 | 1.000 |
| Ellen Brown Lower | 10 | 0.250 |
| Charley Snooks | 5 | 0.125 |
| Doyel | 40 | 1.000 |
| Bertha Giessner | 10 | 0.250 |
| Otto Giessner | 20 | 0.500 |
| TOTAL | 365 | 9.125 |

EXHIBIT E.
TABLE OF LANDS IRRIGATED
WITH WATER DIVERTED FROM HAT CREEK
ABOVE ITS CONFLUENCE WITH RISING RIVER
FROM SURVEY MADE BY STATE WATER COMMISSION OF CALIFORNIA
OCTOBER AND NOVEMBER 1920

1. HARVEY W. WILCOX:

40.0 A.C.

21.4 acres in E $\frac{1}{2}$ of Lot 8 and E $\frac{1}{2}$ of E $\frac{1}{2}$ of Lot 10 of Sec. 1,
T 32 N, R 4 E, M.D.M.

21.4 Acres - Total
61.4

2. VINT W. STEVENSON:

Mud 512.5 A.C.
Flow 39.5 A.C.

24.0 Acres in Lots 3 & 4 of Sec. 6, T 32 N, R 5 E, M.D.M.

24.0 Acres - Total
76.0

3. CARRIE KLOTZ HALL & W.P. HALL:

5 ac. Mud Flow

15.4 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T 33 N, R 5 E, M.D.M.

31.6 1.6 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T 33 N, R 5 E, M.D.M.

10.4 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 33, T 33 N, R 5 E, M.D.M.

27.4 Acres - Total
57.4

4. ALEC BROWN (Indian):

0.6 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 8, T 33 N, R 5 E, M.D.M.

3.1 Acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 8, T 33 N, R 5 E, M.D.M.

1.0 Acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 8, T 33 N, R 5 E, M.D.M.

4.7 Acres - Total

5. CHARLES HAWKINS:

5.7 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 5, T 33 N, R 5 E, M.D.M.

18.6 15.5 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 5, T 33 N, R 5 E, M.D.M.

5.9 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 5, T 33 N, R 5 E, M.D.M.

18.2 14.2 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 5, T 33 N, R 5 E, M.D.M.

48.2 41.3 Acres - Total
ESTATE OF

6. HARRY M. WILCOX:

8.9 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

30.0 Acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 5, T 33 N, R 5 E, M.D.M.

18.4 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 5, T 33 N, R 5 E, M.D.M.

9.3 Acres in Lot 2 of Sec. 6, T 33 N, R 5 E, M.D.M.

47.7 Acres in Lot 3 of Sec. 6, T 33 N, R 5 E, M.D.M.

25.5 Acres in Lot 4 of Sec. 6, T 33 N, R 5 E, M.D.M.

139.8 Acres - Total
188.0

7. R. A. WILCOX AND AMY WILCOX: Gladys Gertrude Smith, Erruyt Roberta Ward,
& Ida May Wilcox

24.6 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

29.3 23.3 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

25.2 13.3 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

38.6 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

42.0 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

4.7 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

14.5 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

00.4 Acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.

28.5 19.4 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 2, T 33 N, R 4 E, M.D.M.

3.4 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 2, T 33 N, R 4 E, M.D.M.

184.2 Acres - Total
211.2

EXHIBIT E

TABLE OF LANDS IRRIGATED (Cont'd.)

8. FELICE KELLY DAVIS:

21.2 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.
0.5 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 1, T 33 N, R 4 E, M.D.M.
21.7 Acres - Total

9. HOLLIDAY BROWN (Indian):

10.2 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 2, T 33 N, R 4 E, M.D.M.
1.0 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 2, T 33 N, R 4 E, M.D.M.
11.2 Acres - Total

10. WILLIAM VALENTINE:

9.6 Acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35, T 34 N, R 4 E, M.D.M.
0.6 Acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35, T 34 N, R 4 E, M.D.M.
3.3 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35, T 34 N, R 4 E, M.D.M.
0.4 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 35, T 34 N, R 4 E, M.D.M.
13.9 Acres - Total

11. CHARLES HERYFORD

7.8 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 27, T 34 N, R 4 E, M.D.M.
14.9 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34, T 34 N, R 4 E, M.D.M.
0.8 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34, T 34 N, R 4 E, M.D.M.
6.7 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35, T 34 N, R 4 E, M.D.M.
4.8 Acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 35, T 34 N, R 4 E, M.D.M.
35.0 Acres - Total

12. EDITH SNOOKS (Indian)

0.3 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 27, T 34 N, R 4 E, M.D.M.
2.1 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 27, T 34 N, R 4 E, M.D.M.
2.4 Acres - Total

13. J. S. RATLEDGE:

5.8 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
4.4 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
17.2 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
16.9 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
44.3 Acres - Total

14. OLIVE OPDYKE, PERRY OPDYKE AND PERCY OPDYKE

16.5 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
22.1 Acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
30.9 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
3.0 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
23.0 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
21.6 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
26.9 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
4.7 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
19.5 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
3.2 Acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
5.9 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 22, T 34 N, R 4 E, M.D.M.
177.3 Acres - Total

EXHIBIT E

TABLE OF LANDS IRRIGATED (Cont'd.)

15. HENRY LONQUIST

✓ 24.8 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
✓ 30.8 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
✓ 8.8 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
✓ 0.9 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
✓ 13.7 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
✓ 0.4 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
3.5 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
82.9 Acres - Total

16. FRITZ LONQUIST

7.8 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 14, T 34 N, R 4 E, M.D.M.
17.6 Acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 14, T 34 N, R 4 E, M.D.M.
3.1 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
28.5 Acres - Total

17. H. MORRIS

39.0 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
37.0 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
41.7 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
2.2 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
41.6 Acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
161.5 Acres - Total

18. IVA MORRIS (MRS. A. L. DOTY, IVA DOTY)

22.6 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
2.2 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
36.4 Acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
61.2 Acres - Total

19. VERNON MARCH:

2.8 Acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M. ✓
24.3 Acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M. ✓
0.3 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M. ✓
34.3 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
2.9 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
21.2 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
40.3 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
8.7 Acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, T 34 N, R 4 E, M.D.M.
134.8 Acres - Total

27.4

20. HARRY LONQUIST:

17.5 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
20.6 Acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
1.7 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
13.6 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
22.3 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
16.2 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
0.5 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
6.3 Acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 15, T 34 N, R 4 E, M.D.M.
98.7 Acres - Total

EXHIBIT E

TABLE OF LANDS IRRIGATED (CONT'D)

21. N. REYNOLDS, A. N. REYNOLDS, AND F. ALLEN:

29.9 Acres in $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 3, T 34 N, R 4 E, M.D.M.
 24.3 Acres in $SW\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 3, T 34 N, R 4 E, M.D.M.
 33.2 Acres in $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
 27.3 Acres in $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
114.7 Acres - Total

22. CLARE BROWN AND FAY BROWN:

9.4 Acres in $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 3, T 34 N, R 4 E, M.D.M.
 9.1 Acres in $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 3, T 34 N, R 4 E, M.D.M.
 3.5 Acres in $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
 0.4 Acres in $NE\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
 0.7 Acres in $NW\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
 4.4 Acres in $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
 4.3 Acres in $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
 0.3 Acres in $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 10, T 34 N, R 4 E, M.D.M.
32.1 Acres - Total

23. R. E. BIDWELL

36.8 Acres in $NE\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 3, T 34 N, R 4 E, M.D.M.
 23.4 Acres in $NW\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 3, T 34 N, R 4 E, M.D.M.
 8.3 Acres in $W\frac{1}{2}$ of Lot 7 of Sec. 3, T 34 N, R 4 E, M.D.M.
 19.4 Acres in $E\frac{1}{2}$ of Lot 8 of Sec. 3, T 34 N, R 4 E, M.D.M.
87.9 Acres - Total

24. L. H. SULLIVAN AND EVA B. SULLIVAN

8.4 Acres in $W\frac{1}{2}$ of Lot 5 of Sec. 3, T 34 N, R 4 E, M.D.M.
 14.6 Acres in $E\frac{1}{2}$ of Lot 5 of Sec. 3, T 34 N, R 4 E, M.D.M.
 18.1 Acres in $W\frac{1}{2}$ of Lot 8 of Sec. 3, T 34 N, R 4 E, M.D.M.
 4.9 Acres in $E\frac{1}{2}$ of Lot 6 of Sec. 4, T 34 N, R 4 E, M.D.M.
46.0 Acres - Total

25. JEFF BONE AND LEE BONE (Indians)

7.5 Acres in Lot 4 of Sec. 3, T 34 N, R 4 E, M.D.M.
 5.6 Acres in Lot 1 of Sec. 4, T 34 N, R 4 E, M.D.M.
13.1 Acres - Total

26. SAM WILLIAMS (Indian)

Burnell 3.4 Acres in $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
 8.0 Acres in $NE\frac{1}{4}$ of $SE\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
11.4 Acres - Total

27. JULIA WILSON (Indian)

19.5 Acres in $NE\frac{1}{4}$ of $SW\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
 0.9 Acres in $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
20.4 Acres - Total

28. JOE WILSON (Indian)

2 or 3 { 3.0 Acres in $SE\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
 23.7 Acres in $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
 1.5 Acres in $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
28.2 Acres - Total

EXHIBIT E

TABLE OF LANDS IRRIGATED (Cont'd.)

29. HARRY BOB (Indian)

0.8 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
0.1 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
32.6 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
0.5 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 33, T 35 N, R 4 E, M.D.M.
34.0 Acres - Total

30. ELLEN BROWN:

4.2 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
14.7 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
2.9 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
0.8 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
5.0 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
27.2 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
3.9 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
8.3 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
17.0 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
7.3 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
15.9 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
16.9 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
124.1 Acres - Total

31. W. W. BROWN:

5.1 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
5.5 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
0.1 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
21.3 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
0.1 Acres in SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
7.7 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
32.1 Acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
0.2 Acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
7.0 Acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 32, T 35 N, R 4 E, M.D.M.
79.1 Acres - Total

32. CHARLEY SNOOKS (Indian):

1.0 Acre in SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 29, T 35 N, R 4 E, M.D.M.
1.0 Acre - Total

33. DAVID DOYEL:

14.1 Acres in SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
25.5 Acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
5.6 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
5.4 Acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 20, T 35 N, R 4 E, M.D.M.
50.6 Acres - Total

34. DAVID DOYEL, CATHERINE DOYEL AND EFFIE MAY DOYEL:

25.0 Acres in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
21.2 Acres in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
33.9 Acres in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
32.0 Acres in SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
17.5 Acres in NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 19, T 35 N, R 4 E, M.D.M.
28.8 Acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20, T 35 N, R 4 E, M.D.M.
16.4 Acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20, T 35 N, R 4 E, M.D.M.
16.4 Acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20, T 35 N, R 4 E, M.D.M.
0.5 Acres in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20, T 35 N, R 4 E, M.D.M.
191.7 Acres - Total

EXHIBIT E

TABLE OF LANDS IRRIGATED (Cont'd.)

35. BERTHA GIESSNER:

| | | | | | | | | | |
|-------------|---------|-----------------|----|-----------------|----|----------|---------|--------|--------|
| 12.9 Acres | in | $NE\frac{1}{4}$ | of | $SE\frac{1}{4}$ | of | Sec. 19, | T 35 N, | R 4 E, | M.D.M. |
| 14.5 Acres | in | $NW\frac{1}{4}$ | of | $NW\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 6.2 Acres | in | $NE\frac{1}{4}$ | of | $NW\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 17.2 Acres | in | $SW\frac{1}{4}$ | of | $NW\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 16.4 Acres | in | $SE\frac{1}{4}$ | of | $NW\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 21.3 Acres | in | $NW\frac{1}{4}$ | of | $SW\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 30.9 Acres | in | $NE\frac{1}{4}$ | of | $SW\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 1.6 Acres | in | $NW\frac{1}{4}$ | of | $SE\frac{1}{4}$ | of | Sec. 20, | T 35 N, | R 4 E, | M.D.M. |
| 121.0 Acres | - Total | | | | | | | | |

36. OTTO GIESSNER:

| | | | | | | | | | |
|------------|---------|-----------------|----|-----------------|----|----------|---------|--------|--------|
| 3.4 Acres | in | $NW\frac{1}{4}$ | of | $SW\frac{1}{4}$ | of | Sec. 17, | T 35 N, | R 4 E, | M.D.M. |
| 20.0 Acres | in | $SW\frac{1}{4}$ | of | $NW\frac{1}{4}$ | of | Sec. 17, | T 35 N, | R 4 E, | M.D.M. |
| 18.2 Acres | in | $NE\frac{1}{4}$ | of | $SE\frac{1}{4}$ | of | Sec. 18, | T 35 N, | R 4 E, | M.D.M. |
| 23.5 Acres | in | $SE\frac{1}{4}$ | of | $SE\frac{1}{4}$ | of | Sec. 18, | T 35 N, | R 4 E, | M.D.M. |
| 14.6 Acres | in | $SE\frac{1}{4}$ | of | $NE\frac{1}{4}$ | of | Sec. 18, | T 35 N, | R 4 E, | M.D.M. |
| 79.7 Acres | - Total | | | | | | | | |

EXHIBIT F

STATE DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS

STATEMENT OF COST OF HYDROGRAPHIC STUDY ON HAT CREEK
JULY AND AUGUST 1921

| | |
|--|---------------|
| Salary of Engineer, 1-25-30 months at \$175.00 | \$ 320.83 |
| Use of Department automobile, 1,317 miles at 10¢ | 131.70 |
| Room and Board of Engineer, 55 days at \$2.00 | <u>110.00</u> |
| | \$ 562.53 |

EXHIBIT G.

STATE DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RIGHTS

APPORTIONMENT OF COST OF HYDROGRAPHIC STUDY ON HAT CREEK

JULY AND AUGUST, 1921

| <u>Name of Owner</u> | <u>Acreage</u> | <u>Proportional Cost</u> |
|---|----------------|--------------------------|
| Harvey W. Wilcox | 21.4 | \$ 5.43 |
| Vint W. Stevenson | 24.0 | 6.10 |
| Carrie Klotz Hall and W. P. Hall | 27.4 | 6.95 |
| Charles Hawkins | 41.3 | 10.50 |
| Harry M. Wilcox | 139.8 | 35.45 |
| R. A. Wilcox and Amy Wilcox | 184.2 | 46.75 |
| Felice Kelly Davis | 21.7 | 5.50 |
| William Valentine | 13.7 | 3.48 |
| Charles Heryford | 35.0 | 8.90 |
| J. S. Ratledge | 44.3 | 11.25 |
| Olive Opdyke, Perry Opdyke and Percy Opdyke | 177.3 | 44.90 |
| Henry Lonquist | 82.9 | 21.03 |
| Henry Lonquist (Fritz Lonquist) | 28.5 | 7.23 |
| H. Morris | 161.5 | 39.05 |
| Iva Morris (Mrs. A. L. Doty, Iva Doty) | 61.2 | 15.53 |
| Vernon March | 134.8 | 34.20 |
| Harry Lonquist | 98.7 | 25.05 |
| N. Reynolds, A. N. Reynolds and F. Allen | 114.7 | 29.10 |
| Clare Brown and Fay Brown | 32.1 | 8.17 |
| R. E. Bidwell | 87.9 | 22.30 |
| L. H. Sullivan and Eva B. Sullivan | 46.0 | 11.68 |
| Ellen Brown (Paid) | 124.1 | 31.50 |
| W. W. Brown | 79.1 | 20.08 |
| David Doyel (Paid) | 50.6 | 12.85 |
| David Doyel, Catherine Doyel, and Effie May Doyel (Paid) | 191.7 | 48.65 |
| Bertha Giessner | 121.0 | 30.70 |
| Otto Giessner | 79.7 | 20.20 |
| TOTAL | 2,224.6 | \$ 562.53 |

-oOo-

Dated this 14th day of May, 1924.

(Signed)

WALTER E. HERZINGER,
Judge